

AO 440 (Rev. 02/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Delaware

Callaway Golf Company

Plaintiff

v.

Acushnet Golf

Defendant

Civil Action No.

09 - 131

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Acushnet Company
c/o United States Service Corporation Co.
2711 Centerville Road, Suite 400
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Thomas L. Halkowski
Fish & Richardson P.C.
222 Delaware Avenue, 17th Floor
Wilmington, DE 19801

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

3/3/09


Signature of Clerk or Deputy Clerk

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PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(1))*

This summons for (name of individual and title, if any) ACUSHNET COMPANY
 was received by me on (date) 3/3/09.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) MARY DRUMMOND, who is
 designated by law to accept service of process on behalf of (name of organization) UNITED STATES
SERVICE CORPORATION CO on (date) 3/3/09; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 3/3/09

William Theis
 Server's signature

William THEIS
 Printed name and title

230 N MARKET ST, WILM DE 19801
 Server's address

Additional information regarding attempted service, etc: